

Late Backup

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Whisper Valley/Indian Hills Development Agreement

City Council Briefing
June 11, 2009

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Why Are We Here?

- ☐ On May 15, 2008, Council authorized negotiation of a development agreement for Whisper Valley and Indian Hills
- ☐ On December 18, 2008, Council approved a policy for creation of public improvement districts in association with development projects
- ☐ Briefing today and PUD presentation/action on Development Agreement on June 18th

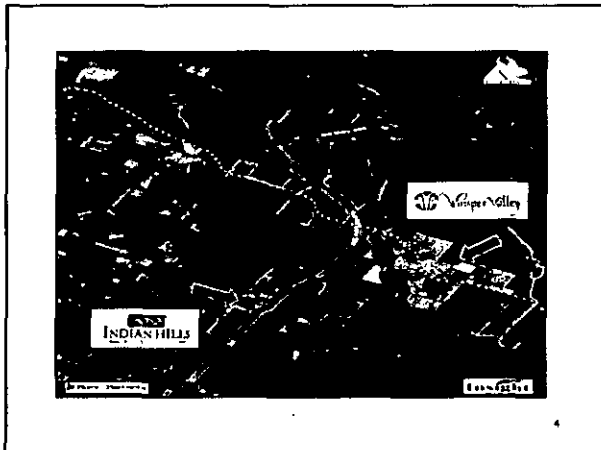
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Development Areas

- ☐ Approximately 2,300 Acres
 - 2,060 acres in Whisper Valley
 - 240 acres in Indian Hills
- ☐ City Extraterritorial Jurisdiction
- ☐ Desired Development Zone
- ☐ SH 130 Corridor

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3 Main Elements of Agreement

- ☐ Zoning
 - PUD zoning for Whisper Valley
 - Conventional zoning for Indian Hills
- ☐ Public Improvement Districts (PIDs)
 - Funds infrastructure and other improvements/services in both Indian Hills and Whisper Valley
- ☐ Annexation
 - Annex 2300 acres for limited purpose in 2010
 - Full purpose annexation in phases over 15 to 45 years

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The Agreement is a Roadmap for the Future

- ☐ Step 1
 - PUD zoning process, including board and commission review of Whisper Valley PUD.
 - City and Developer work out terms of PID financing
- ☐ Step 2
 - Council creates PIDs
 - Council approves zoning
 - Council annexes for limited purposes
- ☐ Step 3
 - Developer requests and City issues PID bonds in phases as development occurs

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The Agreement Sets Parameters for PUD and PIDs

- ☐ Water Quality and Environment
 - No major floodplain modifications
 - Creek headwater areas preserved in natural state
 - Superior water quality controls
- ☐ Parkland/Open Space
 - 600 acre public City park
 - 100 acres other parkland (public at City's option; otherwise private)
 - Travis County Greenprint Plan
 - PID bonds can fund park amenities
 - PID assessment can pay for park maintenance/operations
 - Developer/Homeowner Assoc. can maintain/operate park

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Parameters (cont.)

- ☐ Affordable Housing per City's PUD Ordinance
 - 10% at 60% MFI for rental
 - 10% at 80% MFI for ownership
- ☐ Fire/EMS/Law Enforcement Site
 - Developer donates 2 acres of developable land to City
 - City can lease to ESD #12 until AFD becomes service provider
 - City can relocate site in the future to meet AFD needs
 - PID can fund construction and services

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Parameters (cont.)

- ☐ Sites reserved for transit station, library, and schools
- ☐ Grow Green and PUD Green Builder standards
- ☐ Dedicated Permit Review Team at City
- ☐ Regulations
 - Today's code as modified by PUD zoning
 - Vertical mixed use buildings allowed
 - Grandfathering from City Code changes for 15 years

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Parameters (cont.)

- ☐ Limited Purpose Annexation in 2010
- ☐ Full Purpose Annexation Deferred
 - After 15 years, City may statutorily annex any tract for which PID bonds not requested/issued
 - If PID bonds requested/issued, City may annex the earlier of:
 - When PID bonds are retired (anticipated 30 years from issuance) or
 - At 45 years

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Parameters (cont.)

- ☐ PID Bonds Reimburse Developer for Roads, Drainage, Water Quality, Park Amenities, and City Utilities
- ☐ Timing of City PID Bond Issuance Will be Based on Phasing and Performance Measures
- ☐ PID Bond Assessments
 - PID assessments benchmarked to City property tax the year the bonds are issued
 - 125% of City tax rate
 - Need to minimize difference between amount of PID assessments and amount of City property taxes upon full purpose annexation
- ☐ Maintenance & Operations Assessment for Public Services

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Parameters (cont.)

- ☐ Wastewater
 - City retail service/infrastructure to both Indian Hills and Whisper Valley
- ☐ Water
 - City retail service/infrastructure to Indian Hills
 - City retail service/infrastructure to Whisper Valley only if agreement reached with Manville WSC (no PID bond financing of non-City water infrastructure)

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- ☐ City reserves discretion to vary from the Agreement or not approve zoning or PID creation
- ☐ Developers reserve discretion to withdraw consent to limited purpose annexation if zoning and PID creation vary from the Agreement or not approved

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- ☐ City gains land use control in part of SH 130 corridor
- ☐ Extension of major utility/transportation infrastructure to SH 130 corridor not funded by City taxpayers
- ☐ No major floodplain modifications
- ☐ 700 acres of parkland/open space
- ☐ Public park improvements and maintenance not funded by City taxpayers;
- ☐ Grow Green landscaping and Green Builder
- ☐ Affordable housing
- ☐ Donation of public safety site
- ☐ Sites reserved for schools, library, and transit center

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Anticipated Benefits to Developer

- ☐ PID financing of infrastructure and park improvements lowers developer's capital costs
- ☐ Deferred full purpose annexation makes property attractive by deferring City taxation for years
- ☐ PUD development regulations provide great flexibility
- ☐ Park, open space, public safety site, etc. are amenities for the project
- ☐ Ensures high quality development investment
- ☐ Grandfathering for 15 years

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Recommendation

☐ Staff recommends:

- ☒ Approval of the Development Agreement with direction to finalize zoning, PID financing, and annexation by May 1, 2010

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